

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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IN RE BANK OF AMERICA CORP. :  
SECURITIES, DERIVATIVE, AND :  
EMPLOYMENT RETIREMENT INCOME : Master File No. 09 MDL 2058 (PKC)  
SECURITY ACT (ERISA) LITIGATION :  
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THIS DOCUMENT RELATES TO: :  
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Consolidated Securities Action :  
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**SUPPLEMENTAL DECLARATION OF MELISSA ARMSTRONG IN SUPPORT OF  
DEFENDANT JOE L. PRICE'S MOTION FOR SUMMARY JUDGMENT**

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Pursuant to 28 U.S.C. § 1746, Melissa Armstrong declares as follows:

1. I am duly admitted to practice before this Court and am a senior associate at Baker Botts L.L.P., counsel for Joe L. Price in this matter.
2. I respectfully submit this declaration in support of Mr. Price's Motion for Summary Judgment and accompanying papers. Annexed hereto is a true and accurate copy of the following document produced to plaintiffs in this action, referenced in Mr. Price's Reply in Support of his Motion for Summary Judgment:

<b>Exhibit</b>	<b>Description</b>
1	Excerpts from the deposition of Joe L. Price (improperly captioned "Joseph Price") dated March 16, 2009, in investigation by New York Attorney General "In re Executive Compensation Investigation Bank of America -- Merrill Lynch"

I declare under penalty of perjury that the foregoing is true and correct.

Dated: July 17, 2012.

/s/ *Melissa Armstrong*  
Melissa Armstrong